

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**DARLENE HURT**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO.: 1:19-CV-00031-DMB-RP**

**PRENTISS COUNTY, MS, et al.**

**DEFENDANTS**

**STIPULATION OF DISMISSAL WITH PREJUDICE**

**NOW COME** Plaintiff, Darlene Hurt, by and through counsel, and Defendants, Prentiss County, Mississippi; Prentiss County, Mississippi, Sheriff Randy Tolar; Prentiss County, Mississippi, Deputy Sheriff Wesley Graves, individually and officially, and Farmers & Merchants Bank, by and through counsel, together as all parties who have appeared in this cause of action, and pursuant to the provisions of *Federal Rule of Civil Procedure 41(a)(1)(A)(ii)*, do hereby stipulate that all claims brought against the Defendants in this matter are dismissed with prejudice, with each party to bear its respective attorneys' fees, costs, and expenses. Pursuant to the provisions of *Miss. Code Ann.* § 99-43-39, the vehicle at issue in this lawsuit is available for release to Plaintiff upon prosecutorial approval. Plaintiff shall be responsible for retrieving the vehicle in question using a wrecker service.

**RESPECTFULLY SUBMITTED**, this 19<sup>th</sup> day of June, 2020.

**PRENTISS COUNTY, MS;  
PRENTISS COUNTY, MISSISSIPPI,  
SHERIFF RANDY TOLAR; PRENTISS  
COUNTY, MISSISSIPPI, DEPUTY  
SHERIFF WESLEY GRAVES,  
INDIVIDUALLY AND OFFICIALLY  
Defendants**

**DARLENE HURT  
Plaintiff**

By: /s/ Mary McKay Griffith  
Mary McKay Griffith, MS Bar No. 100785  
Daniel J. Griffith, MS Bar No. 8366

By: /s/ Thomas H. Comer, Jr.  
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**FARMERS & MERCHANTES BANK**

By: /s/ Greg E. Beard

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**Attorney for Farmers & Merchants Bank**

**CERTIFICATE OF SERVICE**

I, Mary McKay Griffith, attorney of record for Defendants, Prentiss County, MS, Sheriff Randy Toler and Deputy Wesley Graves, do hereby certify that I have this day caused a true and correct copy of the above and foregoing *Stipulation of Dismissal with Prejudice* to be delivered by the ECF Filing System which gave notice to the following Counsel of Record:

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**Attorney for Farmers & Merchants Bank**

**DATED** this, the 19<sup>th</sup> day of June, 2020.

/s/ Mary McKay Griffith

Mary McKay Griffith